

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FUJII *et al.*

Appl. No.: 10/626,828

Filed: July 25, 2003

For: **Dispensing Device, Dispensing  
Method and Method of Detecting  
Defective Discharge of Solution  
Containing Biological Sample**

Confirmation No.: 8717

Art Unit: 1743

Examiner: Paul Sang Hwa Hyun

Atty. Docket: 1089.0490000/MAC/JHH

**Third Supplemental Information Disclosure Statement*****Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on April 18, 2007 in connection with the above-captioned application.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

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not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☒ 1. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 2. A concise explanation of the relevance of the non-English language document(s) is provided with the attached English abstracts in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 3. Copies of documents FP8-FP9 are submitted.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

Atty. Dkt. No. 1089.0490000/MAC/JHH

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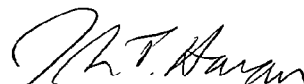
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John T. Haran  
Attorney for Applicants  
Registration No. 58,010

Date: June 18, 2007

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600  
688621

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| <b>Substitute for form 1449/PTO</b><br><br><b>THIRD SUPPLEMENTAL<br/>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                     |
|  |   |    |   | Application Number       | 10/626,828          |
|  |   |    |   | Filing Date              | July 25, 2003       |
|  |   |    |   | First Named Inventor     | Masahiro FUJII      |
|  |   |    |   | Art Unit                 | 1632                |
|  |   |    |   | Examiner Name            | Hyun, Paul Sang HWA |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 1089.0490000/MAC    |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (If Known) |                                |  |   |
|                       | US1                      |  |                                |  |   |
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|                       | US3                      |  |                                |  |   |
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|                       | US19                     |  |                                |  |   |
|                       | US20                     |  |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                          |   |                                |  |  |
|--------------------------|--------------------------|---|--------------------------------|--|--|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|                          |                          | Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>4</sup> (if known) |                                |  |  |
|                          | FP1                      |   |                                |  |  |
|                          | FP2                      |   |                                |  |  |
|                          | FP3                      |   |                                |  |  |
|                          | FP4                      |   |                                |  |  |
|                          | FP5                      |   |                                |  |  |
|                          | FP6                      |   |                                |  |  |
|                          | FP7                      |   |                                |  |  |
|                          | FP8                      | JP 04-007159  | 01/10/1992                     | Canon Inc.   | w/English abstract   |
|                          | FP9                      | JP 2002-052742  | 02/19/2002                     | Seiko Epson Corp.                                  | w/English abstract   |

|                       |             |                    |            |
|-----------------------|-------------|--------------------|------------|
| Examiner<br>Signature | /Paul Hyun/ | Date<br>Considered | 03/14/2008 |
|-----------------------|-------------|--------------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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